

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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IN THE MATTER OF COMPLAINT OF
DELAWARE BAY LAUNCH SERVICE, INC. AS
OWNER OF "BREAKWATER," A 48-FOOT 1976
CREWBOAT, FOR EXONERATION FROM OR
LIMITATION OF LIABILITY
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CIVIL ACTION
IN ADMIRALTY

No. *CA 06-595*

MONITION

THE PRESIDENT OF THE UNITED STATES OF AMERICA TO
THE MARSHAL OF THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

GREETINGS:

WHEREAS, a Complaint was filed in the United States District Court for the District of Delaware by Delaware Bay Launch Services, Inc. (hereinafter "Petitioner"), as owner of the "BREAKWATER," a certain 48-foot 1976 crewboat built by Breaux Bay Craft (hereinafter "the Vessel") praying for exoneration from or limitation of liability concerning alleged losses, damages or injuries, done, occasioned by or resulting from an alleged accident which allegedly occurred on or about April 27, 2005, in or near the Delaware Bay, for the reasons set forth in said Complaint, and praying that monition issue out of the Court notifying all persons claiming alleged damages or losses to appear before the Court and make due proof of their respective claims, and answer the allegations of the Complaint, and if it shall appear that Petitioner is not liable for such alleged losses and damages, it may be so finally adjudged by this Court, and

WHEREAS, Petitioner has alleged that the said Vessel has a value of \$125,000.00 after the described incident and that there was no freight pending and the said Court having ordered that a

monition issue against all persons claiming damage for losses caused and occasioned by this incident, notifying them to file their respective claims with the Clerk of the Court and to serve on or mail to attorneys for Petitioner a copy thereof within 45 days of the entry of the Restraining Order, i.e., on or before TBA, 2006.

YOU ARE, THEREFORE, COMMANDED to cite all persons claiming alleged damages for injuries or destruction of property occasioned by said incident to file their respective claims with the Clerk of the Court at J. Caleb Boggs Federal Building, 844 N. King Street, Wilmington, DE 19801 within forty-five (45) days of the entry of this Order, and to serve upon or mail to Palmer Biezup & Henderson LLP, 1223 Foulk Road, Wilmington, DE 19803, attorneys for Petitioner, a copy thereof within 45 days of the entry of the Restraining Order, i.e. on or before TBA, 2006, and you are also commanded to cite such claimants to appear and answer the Complaint filed herein on or before said date or within such further time as the Court may grant.

And what you have done in the premises do you then make return to this Court together with this Writ.

PETER T. DALLEO

Clerk, United States District Court

By: Brian K. Bicknell
Deputy Clerk

Date: 10/13/06

LEGAL NOTICE

In the U.S. District Court for the District of Delaware: Notice is given that Delaware Bay Launch Services, Inc., as owner of the "BREAKWATER," a certain 48-foot 1976 crewboat built by Breaux Bay Craft, has filed a complaint claiming exoneration from or limitation of liability for all claims arising out of an accident which allegedly occurred on or about April 27, 2005, in or near the Delaware Bay. The Court has ordered that all persons asserting any claim with respect to said incident file their Answer to said Complaint and written claim with the Clerk of the Court at J. Caleb Boggs Federal Building, 844 N. King Street, Wilmington, DE 19801 within forty-five (45) days of the entry of the Court's Restraining Order, dated 10/12/2006, and to serve upon or mail to Palmer Biezup & Henderson LLP, 1223 Foulk Road, Wilmington, DE 19803, attorneys for Petitioner, a copy thereof on or before the same date, or be defaulted.